

Attorneys for Plaintiff
U.S. EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION

DISTRICT OF NEVADA

U.S. EQUAL EMPLOYMENT OPPORTUNITY)	Case No. 2:16-cv-01633-APG-VCF
COMMISSION,)	
)	
Petitioner,)	JOINT STIPULATION AND
v.)	[PROPOSED] ORDER VACATING
)	HEARING DATE AND SETTING
FIDELITY NATIONAL TITLE,)	DATE FOR JOINT STATUS REPORT
)	
Respondent.)	
)	
)	
)	

1. On July 12, 2016 the EEOC filed an Application to Show Cause as to why its Subpoena *duces tecum* (Subpoena No. LV-016-01) Respondent should not be enforced. In addition to the

1 Application, the EEOC filed a Proposed Order to Show Cause, Memorandum of Points and
2 Authorities, and supporting documents. (ECF No. 1).

3 2. On August 19, 2016, Magistrate Judge Cam Ferenbach scheduled a Show Cause Hearing
4 for September 19, 2016 at 10:00 a.m., and ordered Respondent to file a Response to the EEOC's
5 Application to Show Cause on or before September 14, 2016. (ECF No. 6).

6 3. The parties are engaged in efforts to resolve the subpoena enforcement action currently
7 before the Court. On September 9, 2016, Respondent emailed documents to the EEOC
8 responsive to Subpoena No. LV-16-01 request numbers one through three.

9 4. On September 12, 2016, Respondent notified the EEOC that it would need an additional
10 thirty (30) days to produce documents responsive to subpoena request numbers four and five.
11 Respondent agrees to produce these documents by October 14, 2016.

12 5. In light of Respondent's need to for additional time to produce documents responsive to
13 Subpoena LV-16-01 request numbers four and five, the parties stipulate to an order as follows:

- 14 a. The September 14, 2016 response due date and the September 19, 2016 hearing
15 date are vacated;
- 16 b. Respondent shall produce all responsive documents in compliance with the
17 EEOC's Subpoena by October 14, 2016;
- 18 c. The parties shall provide the Court with a joint status report by **October 21, 2016**
19 regarding if Respondent fully complies with Subpoena No. LV-16-01.

20 6. If the EEOC reviews the remaining documents responsive to Subpoena requests number
21 four and five to be produced by October 14, 2016, and determines that Respondent has failed to
22 produce all responsive documents, the parties stipulate to an order setting the following briefing
23 schedule:

- 24 a. Respondent's Response to the Order to Show Cause shall be filed on or before
25 October 27, 2016;
- 26 b. The EEOC may file a response to Respondent's Response on or before November
27 10, 2016; and
- 28 c. A hearing on this matter shall be reset for November 28, 2016 at 11:00 am.

1 Dated: September 13, 2016

Respectfully submitted,

2 U.S. EQUAL EMPLOYMENT
3 OPPORTUNITY COMMISSION

4 By: /s/ Nechole Garcia
5 NECHOLE GARCIA
6 Attorney for the EEOC

7 Dated: September 13, 2016

Respectfully submitted,

8 FIDELITY NATIONAL TITLE

9 By: /s/ Patrick Mortimer
10 PATRICK MORTIMER
11 Attorney for FIDELITY NATIONAL TITLE

12 **[PROPOSED] ORDER UPON STIPULATION**

13
14 For good cause shown, IT IS SO ORDERED.

15 9-14-2016
16 Dated: _____



17 UNITED STATES MAGISTRATE JUDGE
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1 I am, and was at the time the herein mentioned mailing took place, a citizen of the United
2 States, over the age of eighteen (18) years and not a party to the above-entitled cause.

3 I am employed in the Legal Unit of the Los Angeles District Office of the United States
4 Equal Employment Opportunity Commission.

5 My business address is U.S. Equal Employment Opportunity Commission, Las Vegas
6 Local Office, 333 Las Vegas Boulevard South, Ste 8112, Las Vegas, NV 89101.

7 On the date that this declaration was executed, as shown below, I served the foregoing
8 JOINT STIPULATION AND [PROPOSED] ORDER VACATING HEARING DATE AND
9 SETTING DATE FOR JOINT STATUS REPORT; CERTIFICATE OF SERVICE via the Case
10 Management/Electronic Case Filing (CM/ECF) system to:

11
12 Patrick Mortimer, Esq.
13 VP/Employment Counsel
14 Fidelity National Financial, Inc.
15 4 Executive Circle, Suite 270
Irvine, CA 92614
patrick.mortimer@fnf.com

16 I declare under penalty of perjury that the foregoing is true and correct.
17 Executed on September 13, 2016, at Las Vegas, NV.

18
19
20 /s/ Nechole Garcia
Nechole Garcia